

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KATHLEEN HOFFERICA	:	CIVIL ACTION
	:	
v.	:	
	:	
ST. MARY MEDICAL CENTER	:	NO. 10-6026

ORDER

AND NOW, this 20th day of September, 2011, upon consideration of plaintiff's amended complaint (docket entry # 10), defendant's motion to dismiss the amended complaint in part (docket entry # 12), plaintiff's response in opposition to defendant's motion (docket entry # 13), and defendant's reply in support of its motion (docket entry # 16), and in accordance with the accompanying Memorandum, it is hereby ORDERED that:

1. Defendant's motion to dismiss the amended complaint in part (docket entry # 12) is GRANTED IN PART;
2. Count II of the amended complaint is DISMISSED insofar as it asserts claims for interference with plaintiff's right to reinstatement under the Family Medical Leave Act; and
3. By October 4, 2011, plaintiff may SUBMIT a brief to the Court (not to exceed ten pages) that explains why she has

succeeded in stating a claim for interference with her right to individualized notice under the Family Medical Leave Act.

BY THE COURT:

\_\_\_\s\Stewart Dalzell